

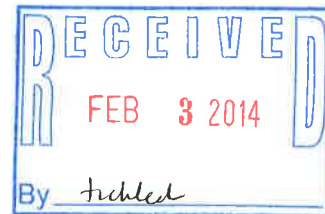
**THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
SUPERIOR COURT**

Merrimack Superior Court
163 North Main St./PO Box 2880
Concord NH 03302-2880

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NOTICE OF DECISION

**CHRISTOPHER M. CANDON, ESQ
SHEEHAN PHINNEY BASS & GREEN PA
1000 ELM ST
PO BOX 3701
MANCHESTER NH 03105-3701**



Case Name: **In the Matter of the Liquidation of Noble Trust Company**
Case Number: **217-2008-EQ-00053**

Please be advised that on January 31, 2014 Judge Smukler made the following order relative to:

Liquidator's Assented-to Motion to Approve Notice and Objection Procedures for Hearing on Motion and Incorporated Supporting Memorandum for Approval of Settlement Agreement and Release with Security Life of Denver Insurance Company "Granted".

Order Approving Notice and Objection Procedures for Hearing on Motion and Incorporated Supporting Memorandum for Approval of Settlement and Release Agreement with Security Life of Denver Insurance Company (Copy attached)

January 31, 2014

William S. McGraw
Clerk of Court

(484)

C: Steven A Solomon, ESQ; Russell F Hilliard, ESQ; Thomas Hetherington, ESQ; Gordon J MacDonald, ESQ; John M Sullivan, ESQ; Peter C.L. Roth, ESQ; Byrne J. Decker, ESQ; Michele E. Kenney, ESQ; Jonathan P. Pavlovcak, ESQ; William S. Gannon, ESQ; J. Christopher Marshall, ESQ; Bertrand A. Zalinsky, ESQ; Benjamin E. Marcus, ESQ; Keriann Roman, ESQ; Steven J. Lauwers, ESQ; Michael S. Lewis, ESQ; Nathan R. Lander, ESQ; James F. Laboe, ESQ; Stephen A. Serfass; Julie K. Connolly, ESQ

THE STATE OF NEW HAMPSHIRE

MERRIMACK, SS

SUPERIOR COURT

Docket No. 08-E-0053

**In the Matter of the Liquidation of
Noble Trust Company**

**ORDER APPROVING NOTICE AND OBJECTION
PROCEDURES FOR HEARING ON MOTION AND
INCORPORATED SUPPORTING MEMORANDUM FOR
APPROVAL OF SETTLEMENT AND RELEASE AGREEMENT
WITH SECURITY LIFE OF DENVER INSURANCE COMPANY**

Upon consideration of the Liquidator's Assented-To Motion to Approve Notice and Objection Procedures for Hearing on Motion and Incorporated Supporting Memorandum for Approval of Settlement Agreement and Release With Security Life of Denver Insurance Company (the "Procedures Motion"), pursuant to which Glenn A. Perlow, Bank Commissioner for the State of New Hampshire, in his capacity as Liquidator of Noble Trust Company (the "Liquidator" and "Noble Trust," respectively), seeks an order of this Court: (1) approving the method, manner and form of notice, including publication notice, to be given of the hearing to consider approval of the Liquidator's Motion and Incorporated Supporting Memorandum for Approval of Settlement Agreement and Release With Security Life of Denver Insurance Company (the "Settlement Motion"), whereby the Liquidator seeks approval of the Settlement Agreement and Release dated as of January 21, 2014 (the "Settlement Agreement") by and between the Liquidator and Security Life of Denver Insurance Company ("Security Life"); (2) scheduling the Settlement Motion for hearing; and (3) establishing a deadline by which any objections to the Settlement Motion must be filed and served; adequate notice of the Procedures Motion having been provided; the notice procedures described in the Procedures Motion comply

in all respects with the applicable notice requirements of New Hampshire law, and are sufficient to provide adequate notice of the Settlement Motion, the hearing on the Settlement Motion, and the deadline for filing objections thereto; there being no objections made to the relief requested; and, after due deliberation and sufficient cause appearing therefor; it is hereby

ORDERED, ADJUDGED, AND DECREED THAT:

1. The Procedures Motion is granted, and all notice and objection procedures set forth therein are approved.
2. Parties wishing to review the un-redacted Settlement Agreement may do so by contacting the Office of the Liquidator and following the procedure for review of the redacted settlement agreements established by this Court's Order Establishing Settlement Agreement Review Procedures dated December 5, 2012, including the execution of a confidentiality agreement.
3. The Notice of Hearing, which shall also serve as the Publication Notice, in the form substantially attached to the Procedures Motion is approved.¹ The Liquidator is authorized and directed to cause the Publication Notice to be published for two successive weeks beginning during the week of February 10, 2014 or as soon thereafter as publication can be arranged in The Charlotte Observer (a newspaper of general circulation in North Carolina, the home state of the Insured), and the USA Today.
4. Notice of the Settlement Motion in the manner set forth in the Procedures Motion, *i.e.*, physical mailing by certified and regular mail, service on the Secretary of State in compliance with RSA 510:4 for the Insured and any asserted beneficiaries of the Policy, publishing of the Publication Notice in the manner described, posting of the Settlement Motion,

¹ Capitalized terms used in this Order and not otherwise defined herein are intended to have the same meaning as ascribed to them in the Procedures Motion.

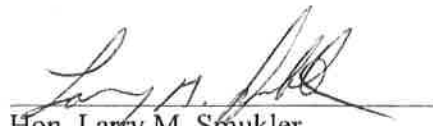
the Fleury Affidavit and Notice of Hearing on the Banking Department's website, and availability of the pleadings at the Court or by request of the Liquidator, complies with applicable standards of due process of law, and provides adequate and sufficient notice to all parties, including those whose names are known but whose current addresses are unknown to the Liquidator, and to those whose names are unknown to the Liquidator, who might conceivably have an interest in the Settlement Motion, the hearing on the Settlement Motion, the issues to be decided at the hearing, and the deadline for filing objections.

5. Service shall be complete when the Liquidator makes a certificate of service to the Court certifying that he has complied with the approved notice procedures.

6. On April 7, 2014 at 1:30 p.m., a hearing will be held before the Court to consider approval of the Settlement Motion.

7. Any objections to the Settlement Motion must be filed by 4:00 p.m. (prevailing Eastern Time) on March 20, 2014 (the "Objection Deadline") with the Office of the Clerk, Merrimack County Superior Court, 163 North Main Street, Concord, New Hampshire 03302, and also served so as to be received by the Objection Deadline on (a) counsel to the Liquidator; (b) counsel to Security Life (as set forth in the Settlement Motion); and (c) upon all other counsel of record (whose names and addresses may be obtained from the Clerk's Office). Any objections not filed and served in accordance with this Order shall not be considered.

Dated: January 31, 2014


Hon. Larry M. Smukler